Order

Michigan Supreme Court Lansing, Michigan

March 8, 2011

Robert P. Young, Jr., Chief Justice

141725

V

Michael F. Cavanagh Marilyn Kelly Stephen J. Markman Diane M. Hathaway Mary Beth Kelly Brian K. Zahra, Justices

PEOPLE OF THE STATE OF MICHIGAN, Plaintiff-Appellee,

> SC: 141725 COA: 297365

Wayne CC: 06-003811-02

MARLON SCARBER, Defendant-Appellant.

On order of the Court, the application for leave to appeal the July 28, 2010 order of the Court of Appeals is considered, and it is DENIED, because the defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D).



I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 8, 2011

Clerk